

571—14.2(461A) Advertising or notice procedure.**14.2(1) *New concession.***

a. Advertising. When the department desires to obtain new concession services in an area, the department shall advertise for concession operation bids in one newspaper of statewide circulation and one newspaper of general circulation in the county in which the state park or recreation area is located.

b. The newspaper ad shall state the following:

- (1) The names and location of area(s) in which concession contracts are available.
- (2) The general types of service which the department would expect a concessionaire to furnish.
- (3) Information regarding how to obtain a bid information package.
- (4) A general description of what the information package will contain.
- (5) The deadline for submission of proposals to the department.

c. The department shall allow a minimum of 35 days between publication of bid advertisements and the deadline for submission of proposals.

d. The information package sent to potential bidders shall contain:

- (1) A brochure which depicts the particular park in which the concession operation is proposed.
- (2) An invitation to bid which will contain detailed information regarding the types of services expected to be offered by the concessionaire; bid terms acceptable to the department; history of gross receipts reported the previous five operating years by the prior concessionaire (if applicable); names, addresses and telephone numbers of persons to be contacted for further information; and the date and time by which proposals must be received by the department.

(3) A sample of the contract the successful bidder will be expected to sign.

(4) The application/qualifications statement to be submitted to the department as a bid for concession operation.

(5) Samples of report forms which the concessionaire must submit to the department while in operation.

14.2(2) *Renewal of existing concession operation.*

a. The department may, at its option, mutually agree with the concessionaire to renewal of a contract during or at the end of its term. A concessionaire may request renewal during the term of a contract after a minimum three years of concession operation. The provisions of the renewal contract shall be negotiated between the department and the concessionaire. Should either party choose not to renew the contract, appropriate notice shall be sent to the other party and the department may advertise for bids in accordance with this chapter.

b. The department shall publish a notice of intent to renew a concession contract which has been negotiated in accordance with paragraph “a” of this subrule. The notice shall be published in the same manner as provided in 571—14.2(1) “a” and shall solicit comments regarding the renewal.

c. The department director shall, upon review of comments received, determine whether to solicit bids or proceed with the renewal of the existing contract. The existing concessionaire may request a contested case proceeding prior to the department solicitation of bids.